

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

DAVID BROWN	§	
VS.	§	CIVIL ACTION NO. 9:20-CV-5
KARLA BURLESON, ET AL.	§	

MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Plaintiff David Brown, a prisoner confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Karla Burleson, Mitchell J. Butcher, and Teliesin R. Stern.

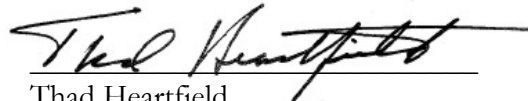
The Court ordered that this matter be referred to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends granting defendants' motion to dismiss the action pursuant to Federal Rule of Civil Procedure 12(b).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (document no. 19) is **ADOPTED**. Defendants' motion to dismiss (document no. 14) is **GRANTED**. A final judgment will be entered in accordance with this memorandum order.

SIGNED this the 20 day of September, 2021.


Thad Heartfield
United States District Judge